

After reviewing the pleadings and considering the arguments, the Board concludes the motion should be granted. The appeal was filed beyond the ten days and, as a consequence, the Board was without authority to consider the appeal. The circumstances here differ from motions to reconsider where the movant asks the Board to modify its ruling on the merits. There is no procedure for such a motion to reconsider and those motions have consistently been dismissed by the Board. But in this case, the Board's Order of January 25, 2000, was, and is, void.

WHEREFORE, the Appeals Board finds and concludes claimant's appeal from the attorney fee Order of October 22, 1999, should be, and the same is hereby, dismissed. The Board's Order of January 25, 2000, is set aside as void.

IT IS SO ORDERED.

Dated this ____ day of March 2000.

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

c: Rowana Riggs, Pro Se
Joseph Seiwert, Wichita, KS
John D. Clark, Administrative Law Judge
Philip S. Harness, Director